

HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.11019 of 2006

ORDER:

This writ petition is filed questioning the order of the 1st respondent-Joint Collector, dated 12.4.2006 as illegal and arbitrary and without jurisdiction.

Heard the learned counsel for the petitioners and the learned Government Pleader. None appears for the unofficial respondents.

The brief facts of the case, so far as they are relevant for the disposal of the writ petition, are as follows:

The unofficial respondents 4 and 5, on the basis of false and fabricated death certificates, have managed to get the letters of the RDO and filed a petition stating that both Vadla Rajanna and Vadla Laxmaiah died in the year 1957 and in the year 1960 respectively; and therefore, they could not have executed registered sale deed in favour of Sanaboina Pedda Balraj and Sanaboina Chinna Balraj and execution of registered sale deed is false; the lands in dispute are purchased under registered sale deeds on 20.7.1979; the RDO dismissed the petition and directed Vadla Sudarshan, the GPA of Raja Ratnam and Laxmi Narayana to approach the Civil court, if they so desire for redressal of their grievance; against the said order, the unofficial respondents 4 and 5 preferred a revision before the Joint Collector and the Joint Collector passed the impugned order, dated 12.4.2006; and that the right and title of the immovable properties cannot be decided by the Joint Collector on the basis of the death certificates issued by the Municipality on 26.5.2003.

No counter affidavit is filed so far by the official respondents as well as the unofficial respondents.

An order of *status quo*, obtaining as on that date, was granted on 13.6.2006.

Today, when the matter came up for hearing, the learned counsel for the petitioners placed the additional material papers on record, including 1) Judgment in O.S.No.83 of 2006 passed by the Junior Civil Judge at Kamareddy 2) docket order passed in O.S.No.84 of 2006 passed by the Principal Junior Civil Judge at Kamareddy, 3) order and decree passed in O.S.No.23 of 2012 by the Senior Civil Judge at Kamareddy 4) Judgment and Decree passed in O.S.No.10 of 2012 by the Senior Civil Judge at Kamareddy, and also 5) Judgment and Decree passed in O.S.No.11 of 2012 by the Senior Civil Judge, Kamareddy. The learned counsel for the petitioners submits that the suits are filed by the parties pertaining to the same land.

In view of the above facts and circumstances, I am of the opinion that as the Civil Court's jurisdiction is already invoked by the parties, no further orders are necessary in the writ petition and the writ petition is closed accordingly.

Miscellaneous petitions pending if any, shall stand closed. No order as to costs.

KONGARA VIJAYA LAKSHMI, J

Date:16/07/2018
slk

HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



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Dated: 16.7.2018

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